

REMARKS

In summary, claims 1-10 and 15-22 are pending. Claims 1, 10, 15, and 21 are independent. Claims 1, 10, 15, and 21 are hereby amended without adding new matter. Claims 15-22 are rejected under 35 U.S.C. § 101. Claims 1-10 and 21-22 are rejected under 35 U.S.C. § 112. Claims 1-10 and 15-22 are rejected under 35 U.S.C. § 102. Reconsideration of the application in view of the foregoing amendments and following remarks is respectfully requested.

Rejection of Claims 15-22 under 35 U.S.C. § 101

Claims 15-22 are rejected under 35 U.S.C. § 101 for allegedly claiming non-statutory subject matter. (Office Action, pp. 2-3, ¶¶ 2-3). Applicants traverse the rejection.

Without prejudice or disclaimer, claim 15 is amended to recite a “computer system having a processor configured to deploy a package having dependencies”. Accordingly, it is requested that the rejection of claims 15-22 under 35 U.S.C. § 101 be reconsidered and withdrawn.

Rejection of Claims 1-10 and 21-22 under 35 U.S.C. § 112 ¶

Claims 1-10 and 21-22 are rejected under 35 U.S.C. § 112, first paragraph, for allegedly adding new matter to the claims in violation of the written description requirement. (Office Action, pp. 4-5, ¶¶ 4-5). Applicants traverse the rejection.

It is respectfully submitted that the Office Action misinterprets the term “providing.” Components do, in fact, provide a source of dependencies. There are numerous ways to describe this. Nevertheless, the allegedly offending term has been deleted from claims 1, 10, and 21. Accordingly, reconsideration and withdrawal of the rejection of claims 1-10 and 21-22 under 35 U.S.C. § 112 is respectfully requested.

Rejection of Claims 1-10 and 15-22 under 35 U.S.C. § 102

Claims 1-10 and 15-22 are rejected under 35 U.S.C. § 102(a) as being unpatentable over

a publication entitled "Report Designer Component 9 – Creating a RDC Deployment Package," pp. 1-17, published May 14, 2003 (hereinafter referred to as "RDC9"). Applicants traverse the rejection.

Applicants note that the date of RDC9 is listed as 5/14/200 on form PTO-892. However, RDC9 indicates a date of 5/14/2003 and recites "Copyright © 2003". Applicants request that the form PTO-892 be corrected to reflect a date of 5/14/2003.

In view of the declaration submitted herewith under 37 C.F.R. §1.131 by inventors J. Kirk Haselden and Ashvini Sharma, Applicants respectfully submit that the subject matter of the present application was invented prior to the effective date, May 14, 2003, of RDC9. The attached declaration is accompanied by copies of supporting records which have been redacted by Applicant's attorney in order to remove unnecessary information, such as dates and business-related information that are not pertinent to the claimed subject matter. The Examiner is respectfully urged to carefully review the attached declaration, which is signed by all the inventors of the present application, and to withdraw the rejections based on RDC9. Accordingly, Applicant respectfully requests that the rejection of claims 1-10 and 15-22 under 35 U.S.C. § 102 be reconsidered and withdrawn.

Should the Examiner for any reason feel that the declaration is insufficient, or that additional information is required, the Examiner is respectfully encouraged to call Applicants' undersigned attorney at the phone number provided below.

Any amendments made during prosecution of the pending application are without abandonment of subject matter. Applicants expressly reserve the right to, in the pending application or any application related thereto, reintroduce any subject matter removed from the scope of claims by any amendment and introduce any subject matter not present in current or previous claims.

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CONCLUSION

In view of the foregoing amendments and remarks, including the attached declaration, it is respectfully submitted that this application is in condition for allowance.

Reconsideration of this application and an early Notice of Allowance are respectfully requested.

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